

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**AFFINITY PRODUCTION CO., LLC, a
Nebraska Limited Liability Co.,**

Plaintiff and Counterdefendant,

V.

CSS FARMS, INC., a South Dakota Corporation doing business in Nebraska,

Defendant and Counterclaimant,

V.

DANIEL KOCH, an Individual,
Counterdefendant

CASE NO. 8:08CV449

ORDER

This matter is before the Court on the Joint Motion to Extend Time to Respond to Defendant/Counterclaimant CSS Farms' Motion for Summary Judgment (Filing No. 61), filed by Plaintiff/Counterdefendant Affinity Production, Co., LLC, and Counterdefendant Daniel Koch (collectively "Counterdefendants"). In their Motion, the Counterdefendants state they will need an additional ten days to respond to CSS Farms' Motion for Summary Judgment (Filing No. 53) *after* they receive the deposition transcript from Milt Carter's deposition. (Filing No. 61 at ¶ 5). The Counterdefendants state they will schedule this deposition during the last week of July, 2009. (*Id.* at ¶ 6). Furthermore, the Counterdefendants report that the Counterclaimant CSS Farms has agreed to this extension of time.

Accordingly, the Court finds that the Counterdefendants' Motion should be granted.

IT IS ORDERED:

1. The Counterdefendants' Motion to Extend Time to Respond to CSS Farms' Motion for Summary Judgment (Filing No. 61) is granted; and
2. The Counterdefendants shall file their response to Counterclaimant CSS Farms' Motion for Summary Judgment (Filing No. 53) on or before August 18, 2009.

DATED this 9th day of July, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge